cc: LP:jy

| NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO Docket No  |  |   |   |  |   |  |
|--|--|---|---|--|---|--|
| THE BOARD  | e Entity)                                | JP919980139US1  |   |  |   |  |
| In Re Application Of: Yoshifumi Sakamoto, et al.   |  |   |   |  |   |  |
| Application No.  | Filing Date                              | Examiner  | Customer No.  | 1  | l i   |  |
| 09/491,467   | January 26, 2000                         | Johnny Ma   | 23389   | 2617   | 8561  |  |
| Invention: PROGRAM DISPLAY AND SELECTING APPARATUS, DIGITAL BROADCAST RECEIVER AND DIGITAL BROADCAST RECEIVING SYSTEM  |  |   |   |  |   |  |
|  |  | COMMISSIONER FOR PATE   | ENTS:   |  |   |  |
| Applicant(s) hereby<br>Examiner dated  | y appeal(s) to the Boa<br>August 9, 2005 | eard of Patent Appeals and Inter<br>finally rejecting Claim(s) 1, 5 |   | the decision of  | the Primary   |  |
| The fee for this Notice of Appeal is: \$500.00  A check in the amount of the fee is enclosed.  The Director has already been authorized to charge fees in this application to a Deposit Account.  The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. \$0-0510/IBM  Payment by credit card. Form PTO-2038 is attached.  WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  11/19/2005 MBINAS 00008018 500510 0949146  Date®! F@10/Pember 9, 2005 00 DA |  |   |   |  |   |  |
| Leopold Presser<br>Registration No. 19,<br>Scully, Scott, Murph<br>400 Garden City Pla<br>Garden City, New Y<br>(516) 742-4343   | ohy & Presser<br>laza - Suite 300        |   | sufficient postag<br>addressed to the<br>1450, Alexandria<br>(Date) | n the United State<br>age as first class<br>the "Commissioner<br>a, VA 22313-1450" | correspondence is being ates Postal Service with se mail in an envelope or for Patents, P.O. Box [37 CFR 1.8(a)] on |  |

Typed or Printed Name of Person Mailing Corresponden

SCULLY, SCOTT, MURPHY

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400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-4343 - Telephone (516) 742-4366 - Facsimile e-mail: intprop@ssmp.com

# Fax

To:

**Examiner: Johnny Ma** 

Group Art Unit: 2617

From: Leopold Presser, Esq.

Fax: (571) 273-8300

Pages: 7 pages including cover sheet

Phone:

Date:

11/9/2005

Re:

Applicants: Yoshifumi Sakamoto, et al.

U.S. Serial No. 09/491,467

CC:

Filing Date: January 26, 2000

Docket No: JP919980139US1 (13178)

### NOTICE OF APPEAL

#### Transmitted herewith are the following:

- 1. General Transmittal Letter (in duplicate);
- Notice of Appeal From the Primary Examiner to the Board of Patent Appeals and Interferences (Large Entity) (in duplicate);
- 3. Authorization to charge IBM Deposit Account No. 50-0510/IBM in the amount of \$500.00 for the Notice of Appeal Fee; and
- Certificate of Transmission by Facsimile, dated November 9, 2005 (in duplicate).

#### **FOR:**

Applicants: Yoshifumi Sakamoto, et al.

U.S. Serial No. 09/491,467 Filing Date: January 26, 2000

Docket No: JP919980139US1 (13178)

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| CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): Yoshifumi Sakamoto, et al.                        |                                    |   |                | Docket No. JP919980139US1 (13178) |  |  |
|---|------------------------------------|---|----------------|-----------------------------------|--|--|
| Application No.   | Filing Date                        | Examiner                                      | Group Art Unit |                                   |  |  |
| 09/491,467  | January 26, 2000                   | Johnny Ma                                     |                | 2617                              |  |  |
| Invention: PROGRAM DISPLAY AND SELECTING APPARATUS, DIGITAL BROADCAST RECEIVER AND DIGITAL BROADCAST RECEIVING SYSTEM |                                    |   |                |                                   |  |  |
| I hereby certify that this  |                                    |   |                |                                   |  |  |
|   | nitted to the United States Patent | , and trademark Office (Fax. )                | . ( <u>s</u>   | 5/1) 2/3-6300                     |  |  |
| on November (   | 9, 2005                            |   |                |                                   |  |  |
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| TRANSMITTAL LETTER<br>(General - Patent Pending)  |                                 |                       |   | Docket No.<br>JP919980139US1 (13178)    |                      |  |  |
|---|---------------------------------|-----------------------|---|---|----------------------|--|--|
| In Re Application Of: Yoshifumi Sakamoto, et al.  |                                 |                       |   |   |                      |  |  |
| Application No. 09/491,467  | Filing Date January 26, 2000    | Examiner<br>Johnny Ma | Customer No.  | Group Art Unit                          | Confirmation No.     |  |  |
| Title: PROGRAM DISPLAY AND SELECTING APPARATUS, DIGITAL BROADCAST RECEIVER AND DIGITAL BROADCAST RECEIVING SYSTEM   |                                 |                       |   |   |                      |  |  |
|   |                                 | COMMISSIONER FOR PATI | ENTS;   |   |                      |  |  |
| Transmitted herewith is;  NOTICE OF APPEAL, CERTIFICATE OF TRANSMISSION BY FACSIMILE, AND AUTHORIZATION TO CHARGE IBM DEPOSIT ACCOUNT NO. 50-0510/IBM IN THE AMOUNT OF \$500.00 FOR THE NOTICE OF APPEAL FEE.   |                                 |                       |   |   |                      |  |  |
| In the above identified application.  No additional fee is required.  A check in the amount of is attached.  The Director is hereby authorized to charge and credit Deposit Account No. 50-0510/IBM as described below.  Charge the amount of  Credit any overpayment.  Charge any additional fee required.  Payment by credit card. Form PTO-2038 is attached.  WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. |                                 |                       |   |   |                      |  |  |
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| CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 18) Docket No.                    |                                   |  |                          |  |  |  |  |
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| CERTIFICATE OF   |                                   |  |                          |  |  |  |  |
| Applicant(s): Yoshifumi Sakamoto, et al.  JP919980139US1 (1317)                    |                                   |  |                          |  |  |  |  |
| Application No.  | Filing Date                       | Examiner   | Group Art Unit           |  |  |  |  |
| 09/491,467   | January 26, 2000                  | Johnny Ma  | 2617                     |  |  |  |  |
| Invention: PROGRAM DISPLAY AND SELECTING APPARATUS, DIGITAL BROADCAST RECEIVER AND |                                   |  |                          |  |  |  |  |
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| is being facsimile transm  | Itted to the United States Patent |  | No. (571) 273-8300       |  |  |  |  |
| on November 9  | 2005                              | •  |                          |  |  |  |  |
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| TRANSMITTAL LETTER (General - Patent Pending)   |  |  |                       | Docket No.<br>JP919980139US1 (13178)          |                     |  |  |  |
|---|--|--|-----------------------|---|---------------------|--|--|--|
| In Re Application Of: Yoshifumi Sakamoto, et al.  |  |  |                       |   |                     |  |  |  |
|   |  |  | ,                     |   |                     |  |  |  |
| Application No.   | Filing Date                                | Examiner   | Customer No.          | Customer No. Group Art Unit   Confirmation No |                     |  |  |  |
| 09/491,467  | January 26, 2000                           | Johnny Ma 23389 2617 8561                        |                       |   |                     |  |  |  |
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|   |  | COMMISSIONER FOR PATI                            | ENTS:                 |   |                     |  |  |  |
| Transmitted herew   |  |  |                       | D 44 PP 44 A D 47 4 A                         | NOV TO              |  |  |  |
| NOTICE OF APPEAL, CERTIFICATE OF TRANSMISSION BY FACSIMILE, AND AUTHORIZATION TO CHARGE IBM DEPOSIT ACCOUNT NO. 50-0510/IBM IN THE AMOUNT OF \$500.00 FOR THE NOTICE OF APPEAL FEE. |  |  |                       |   |                     |  |  |  |
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| in the above identi   | fied application.                          |  |                       | ;   |                     |  |  |  |
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| Garden City, New Y  |  |  | addressed to the      | Commissioner fo                               | r Patents, P.O. Box |  |  |  |
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